



H.R. 6575 – OVER-CLASSIFICATION REDUCTION ACT

FLOOR SITUATION

H.R. 6575 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Henry Waxman (D-CA) on July 23, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported, as amended, by voice vote on July 23, 2008.

H.R. 6575 is expected to be considered on the floor of the House on September 9, 2008.

**Note: H.R. 6575 includes provisions similar to those previously passed by the House on July 30, 2008, by voice vote as H.R. 6576. The bill was received in the Senate and was referred to the Senate Committee on Homeland Security and Governmental Affairs, but was not considered. [Link to Legislative Digest for H.R. 6576](#)*

SUMMARY

H.R. 6575 directs Federal agencies to apply standards which will reduce the improper and over-classification of information. This bill addresses all types of information uses across the Federal government.

The bill requires the Archivist of the United States, in consultation with the Director of National Intelligence (DNI) and the heads of other affected agencies, to set regulations for the use of information control designations. These regulations would include certain methods to ensure that compliance with the bill does not undermine national security or privacy rights. H.R. 6575 also includes remedies for Federal employees and the public to challenge the use of such designations.

H.R. 6575 directs Federal agencies Inspectors General (IGs), in consultation with the Archivist, the DNI, and the heads of other affected agencies, to periodically audit information with the control designations to assess their uses. This bill requires disclosure of the name or other personal identifier of the individual restricting access to the information.

BACKGROUND

There are currently over 100 information control designations used by the Federal government. Controlled Unclassified Information (CUI) is one common designation that refers to unclassified homeland security information, law enforcement information relating to terrorism, and other information defined in the Implementing Recommendations of the 9/11 Commission Act of 2007 that does not meet the standards of National Security Classification under Executive Order 12958. There is some concern that the excessive use of information control designations may interfere with important homeland security information sharing among Federal agencies and with State and local partners, as well as limit public access to information.

In a May 2008 memorandum to Executive Departments, President Bush adopted "controlled unclassified information" (CUI) to be the single categorical designation for sensitive but unclassified information throughout the executive branch and provided a certain framework for designating, marking, safeguarding, and disseminating CUI. This memorandum aimed to resolve the issue of multiple pseudo-classifications by creating a single designation and consistent procedures.

[President's May 7, 2008 Memorandum regarding CUI](#)



LEGISLATIVE DIGEST

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COST

The Congressional Budget Office (CBO) 'estimates that implementing H.R. 6575 would cost \$2 million in 2009 and \$22 million over the 2009-2013 period.'

[CBO cost estimate for H.R. 6575](#)

STAFF CONTACT

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